

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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In re:	:	
	:	Chapter 11
CULLOO ENTERTAINMENT, LLC	:	
	:	Case No: 24-13553-AMC
Debtors	:	
	:	

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NOTICE OF MOTION

TO: THE UNITED STATES TRUSTEE, SUBCHAPTER V TRUSTEE, RULE 2002 PARTIES,  
AND PARTIES IN INTEREST, NOTICE IS GIVEN THAT:

Culloo Entertainment, LLC, (“Movant”), by and through its undersigned counsel, filed  
the Debtor’s Motion to Dismiss Chapter 11 Case (“Motion”).

**YOUR RIGHTS MAY BE AFFECTED**

**You should read these papers carefully and discuss them with your attorney, if you have  
one in this bankruptcy case.**

**(if you do not have an attorney, you may wish to consult with an attorney.)**

1. If you do not want the Court to grant the relief sought in the Motion, or if  
you want the Court to consider your views on the Motion, then on or before  
December 26, 2024, you or your attorney must do all the following:

- a. File an answer explaining your position at:

United States Bankruptcy Court  
Robert N.C. Nix Building  
900 Market Street, Ste 400  
Philadelphia, PA 19107-4299

If you mail your answer to the bankruptcy clerk’s office for filing, you must mail  
it early enough so that it will be received on or before the date stated above; and

- b. Mail a copy to movant’s attorney:

GAMBURG & BENEDETTO, LLC  
Donald Benedetto, Esquire  
1500 JFK Blvd., Ste 1203  
Philadelphia, PA 19102

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the court may enter an order granting the relief requested in the Motion.
3. A hearing on the Motion is scheduled to be held before the Honorable Ashely M. Chan, the United States Bankruptcy Judge, in Courtroom 4 at the United States Bankruptcy Court, Robert N.C. Nix Building, 900 Market Street, Suite 400, Philadelphia, PA 19107-4299 on January 29, 2022, at 12:30 p.m., or as soon thereafter as counsel can be heard, to consider the motion.
4. If a copy of the Motion is not enclosed, a copy of the motion will be provided to you if you request a copy from the attorney named in paragraph 1(b).
5. You may contact the Bankruptcy Clerk's office at 215-408-2800 to find out whether the hearing has been canceled because no one filed an answer.

GAMBURG & BENEDETTO, LLC

Date: December 12, 2020

/s/ Donald Benedetto

Donald Benedetto, Esquire (309199)

1500 JFK Blvd, Ste 1203

Philadelphia, PA 19102

P: 215.360.3969

F: 215.383.1111

Attorney for Debtor

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DEBTOR’S MOTION TO DISMISS CHAPTER 11 CASE

Culloo Entertainment, LLC, debtor-in-possession in this Chapter 11 case (the “Debtor”), by and through its undersigned counsel, respectfully submits this motion requesting entry of an order, dismissing this bankruptcy case pursuant to sections 305(a) and 1112(b) of Title 11 of the United States Code, 11 U.S.C. §§ 101-1531 (the “Bankruptcy Code”). In support thereof, the Debtor avers as follows:

BACKGROUND

1. On October 1, 2024 (“Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy code.
2. The Debtor elected to proceed under Subchapter V of Chapter 11 of the Bankruptcy Code.
3. As a debtor-in-possession, Debtor continues to operate the business pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

4. The Debtor is in the business of providing live and disc jockeyed entertainment and service of alcoholic beverages.
5. Prior to the immediate bankruptcy, Debtor was meeting its debts with assistance from the landlord, which is an entity that shares some common ownership.
6. Debtor decided to file for Chapter 11, subchapter V bankruptcy after recently discovering a deception perpetrated by Debtor's prior attorney, Jared Klein, which resulted in a nearly \$1,000,000.00 judgment against the Debtor.
7. The Plaintiff in that matter began executing on the judgment, which made Debtor's continued operation difficult and, therefore, Debtor decided to file for Chapter 11 Bankruptcy.
8. When Debtor attempted to retain bankruptcy counsel, the retainers that were quoted were too expensive for Debtor to afford.
9. Debtor has a good relationship with Gamburg & Benedetto, LLC, and due to this relationship, the firm agreed to a flat fee at a much-discounted price.
10. The Petition filed by Debtor's counsel caused confusion regarding the relationship between Gamburg & Benedetto, LLC, Joseph D. Rutala, Esquire, and the Rutala Law Group, PLLC.

11. Further, there were other discrepancies in the filings and disclosures resulting in confusion in the docket and concerns with the U.S. Trustee.
12. Debtor filed an Application for Authority to Hire Gamburg & Benedetto, LLC, *nunc pro tunc*, which was objected to by the U.S. Trustee due to the aforementioned problems with the petition and disclosures.
13. The Court held a hearing regarding the Application on December 11, 2024, and upon hearing the arguments of the parties, denied the application.

#### REQUESTED RELIEF

14. By this Motion, the Debtor requests entry of the Proposed Order submitted herewith dismissing this Bankruptcy Case pursuant to sections 305(a) and 1112(b) of the Bankruptcy Code.

#### LEGAL ARGUMENT

15. Section 305(a) of the bankruptcy code provides the following: “The court, after notice and hearing, may dismiss a case under this title . . . at any time if . . . the interests of the creditors and the debtor would be better served by such dismissal . . .” 11 U.S.C. §305(a)(1).

16. In pertinent part, Section 1112(b) of the Bankruptcy Code states the following: “The court shall convert a case under this chapter . . . or dismiss a case under this chapter, whichever is in the best interest of the creditors and the estate, for cause . . . .” 11 U.S.C. § 1112(b)(1).
17. The Debtor submits that dismissal of the Bankruptcy Case is appropriate and is in the best interest of both the Debtor’s Creditors and the Debtor’s estate.
18. Since the Court has denied the application to hire counsel, Debtor is now without representation unless it can rectify these issues or retain new counsel.
19. Debtor has a close relationship with Gamburg & Benedetto, LLC, and due to the relationship, Gamburg & Benedetto, LLC agreed to a very favorable flat fee that is significantly less expensive than other firms Debtor had consulted.
20. The dismissal will allow Debtor’s chosen counsel to rectify the confusion that arose from the filing of the petition and will benefit the creditors by preserving more of the bankruptcy estate.

WHEREFORE, the Debtor respectfully requests that this Court enter the Proposed Order dismissing the Bankruptcy Case, and granting such further relief that the Court deems just and proper.

GAMBURG & BENEDETTO, LLC

Date: December 12, 2020

/s/ Donald Benedetto

Donald Benedetto, Esquire (309199)

1500 JFK Blvd, Ste 1203

Philadelphia, PA 19102

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Attorney for Debtor

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ORDER

AND NOW, this \_\_\_\_\_ day of January 2025, upon consideration of Debtor's Motion to Dismiss this Chapter 11 case (the "Motion"); and it appearing that good cause exists for granting the relief requested in the Motion; it is, by the United States Bankruptcy Court for the Eastern District of Pennsylvania,

ORDERED that the Motion is GRANTED, and the above reference case is hereby Dismissed.

BY THE COURT

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Honorable Ashley M. Chan